

C. S. Sefer

THOUGHTS
ON
THE ORIGIN AND FORMATION
OF
POLITICAL CONSTITUTIONS.



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SUGGESTED BY
THE RECENT ATTEMPT TO FRAME
ANOTHER
NEW CONSTITUTION FOR FRANCE.

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THOUGHTS

ON

THE ORIGIN AND FOUNDATION

ON

POLITICAL CONSTITUTIONS.

THE oppressors of France, in order to prop up their tottering tyranny, have found it necessary to fabricate another NEW CONSTITUTION for their miserable and distracted Country. Those Revolutionary dreams which had been dignified by the name of Constitutions, and which, after holding forth the most splendid promises of happiness and liberty, were productive only of ruin and slavery, had entirely vanished, and were succeeded by a kind of anarchical Dictatorship, which, in the new Jargon, was termed a provisional state of things. It was not only intended, but the intention was avowed, that this *state* should continue during the War; and a term so indefinite was taken, that the ruling factions might, without interruption,

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purſue their ſchemes of ambition. But after a ſufficient trial thoſe factions have diſcovered, that during the contention in which they were engaged among themſelves,—that even by the aid of their mutual ſtrife, and of their reciprocal victories and defeats, they were conſtantly loſing ground,—that their power, inſtead of being conſolidated, became weaker and weaker every day—and that they were obliged at length to abandon that ſyſtem of terror, in which they had cordially and unaniſouſly concurred, and to affect a moderation, which was as foreign from their hearts, as it was repugnant to their principles; finding that their provisional ſtate of things was attended with ſuch conſequences, they were obliged to change their plan, and to bring forward a more regular ſyſtem of diſorder.

To ſuch cauſes may be aſcribed the repetition of that national Farce, a NEW CONSTITUTION, which has been revived and again brought on the ſtage, to amuſe the people, and to divert their attention from their ſufferings,—from the injuſtice, uſurpation and tyranny of thoſe, by whom their ſufferings have been produced—and from the force of thoſe lawful claims, which their honour and their happineſs require them to acknowledge, and which are

rendered still more formidable by the liberty of the Prince on whom they have devolved. By such arts have the French Revolutionists been enabled to produce and to prolong the misfortunes of their Country. Under the specious pretext of giving to France a New Constitution, they first succeeded in overthrowing a Monarchy which had subsisted for ages, and on every critical and urgent occasion, they resort to the same artifice, in order to keep alive the expectation of a credulous and sanguine people, by persuading them, in spite of so much experience to the contrary, that the Revolution is still capable of producing their felicity. The system of Anarchy, which has been raised on the ruins of regular Government, would expire of itself, if it were not thus fed and renovated by the frequent nourishment afforded by *new* Constitutions, which, like returning Comets, supply it from time to time with fresh fuel, and thereby preserve it from utter extinction.

It would be a waste of time to analyze the new Constitutional Code, which consists of a vast jumble of incongruous parts, connected by no common tie, regulated by no main spring, totally destitute of unity and cohesion, and as inapplicable

to each other as they are to the Country to which they are meant to be applied. But such defects are unworthy of the attention of modern Constitution-mongers, who, in their rage for speculation and novelty, seem to think that even nature itself can be subjected to their wild and frantic theories.

Such a machine is clearly not calculated for duration, even if it were not erected upon an illegitimate basis, and constructed upon those disorganizing principles, which are incompatible with stable Government and orderly society.—In some respects, indeed, the new plan apparently differs from the preceding ones, as it exhibits a more feasible attempt to vest both power and property in the usurping and rapacious hands, which have seized both. For this purpose it rejects the system of equality as a chimera of the brain,—it professes to recognize the sacredness of property, (a principle, which it was the interest of the present possessors to disclaim, until their peculations were complete)—and, by confining the right of citizenship to those who pay direct contributions, it endeavours to keep the inferior classes of society from the exercise of those political rights, to which, in principle, it acknowledges them to be entitled, but
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which, as its framers well knew, they can never exercise, except for the purpose of overturning the subsisting system, whatever it may be. These regulations, when viewed by themselves, might seem to indicate a disposition to establish something like order and settled Government,—and they were accordingly opposed by that unceasing advocate for Anarchy, that inextinguishable fire-brand, Thomas Paine ; who could not endure the idea that even his associates in wickedness should quietly enjoy the fruit of their crimes. But there was little reason to apprehend any such consequences from the introduction of these Revolutionary variations into the system now proposed. The framers of that system, would doubtless have been glad to fix themselves in the seat of power, by a more simple process, and to renounce entirely those principles of Anarchy which form the substance of their Code. But they had too many competitors, jealous of their ascendancy—they were too dependent upon the influence of popular delusion, to dispense with that Jargon of the Rights of man, and the sovereignty of the people, which, throughout the whole Revolution, had produced such wonderful effects. They knew that their
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usurped authority would appear too odious in its genuine colours, to be submitted to for a moment.

They were therefore under the necessity of giving to their Code the metaphysical varnish which had been found capable of veiling so many crimes; they prefixed to it the declaration of the Rights of man; and they presented to the fancy a voluminous and complex system of legislation and Government, founded upon the essential principles of the Revolution; a system which it was no difficult matter to make specious in theory, but which will not be reducible to practice any more than the Revolutionary vagaries of preceding assemblies. These were the only means by which they could hope to retain, even for the present, the ascendancy they had gained by fraud, injustice, violence, and usurpation; and as former Constitutions of the like fabrick had led to various successive tyrannies, and even to that unexampled system of tyranny and oppression, established by Robespierre, they depended upon their new Constitution for the production of similar effects, to which the invention of a *directorial quintumvirate* is admirably calculated to contribute.

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To believe that this Constitution can be established, or that it can become a foundation for regular and stable government, would denote a degree of credulity, for which it is difficult to find an adequate expression. It is certainly introduced under circumstances much less auspicious than those which accompanied the former ones produced by the Revolution; of which that of 1789, in particular, had the appearance of the most unbounded popular enthusiasm in its favour. But instead of enthusiasm, the people testify only coldness and indifference on the present occasion. They consider the new system as an imperfect and doubtful experiment, and as the last resource of the Revolution. They are induced to accept it, not so much by their confidence in its success, as by a desire of change, and a hope that it will afford them an opportunity of getting rid of their present tyrants. They regard it less as the means of future happiness, than of present relief. On the other hand, the Convention seems at last to have outwitted itself. It is evident that it framed this Constitution with the sole view of prolonging its own power; by giving to that power an appearance of novelty, and the force of a more regular and distinct organization. The different factions of which it is composed, aware of

of the necessity of a change, agreed on this system, as a kind of compromise among themselves; expecting to parcel out the Sovereignty, according to the new arrangement, or at least to start again fair, each trusting to his respective adroitness, strength and agility, to gain the prize of political contention. To attain these objects, one thing was necessary; they must secure their own return to the new Assemblies, which, under the disguise of novel forms and appellations, they meant to be composed of themselves, as far as their reduced numbers would suffice for that purpose. How to effect this was the difficulty. They knew that no reliance could be placed upon the voluntary choice of the people, for whom *they had laboured so long and suffered so much*. They had no confidence in the public gratitude for *the great and manifold services* they had rendered the State.—Some more certain and effectual means were, therefore, necessary, and it must be acknowledged that they have hit upon the most daring expedient ever suggested by profligacy or desperation. They Decree that two thirds of the new Legislature shall be chosen from the present Convention. This decree contained in reality the substance of the new Constitution. The code was only form, by which
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they meant to gild the pill, which otherwise they feared would not be swallowed by the French People; and they flattered themselves, that, by presenting both the Decree and the Constitution at the same time, the one would facilitate the passage of the other. To support this glaring and unequivocal violation of every principle, which they even professed to observe, and to guard against the effect which such an attempt might, notwithstanding all their arts and influence, produce upon the minds of the people, they took care previously to secure the countenance of the army, by obtaining its acceptance both of the Constitution and the Decree; proving thereby, in the clearest manner, what lengths they were determined to go, rather than relinquish their ill gotten power. If their own report can be believed, they have had the address to induce a majority of the primary assemblies, to accept the Decree; but the CAPITAL, that Mother and Nurse of the Revolution, having rejected it by a majority of 45 to 3, of the primary assemblies, she will not easily be deprived of that lead, which she has possessed for nearly six years;—and a very great part of the rest of France will be ready to support her opposition to so undisguised an act of tyranny. A fresh and an inexhaustible source of contention is

thus opened, tending directly to a civil war ; that crisis, which, however violent and dreadful, affords the only chance for restoring order to France. The army holds in its hands the fate of the country. Having been once consulted it will become conscious of its political consequence, and will feel itself entitled to decide on all questions. It will be courted by all parties, and it will espouse one side or another, as the caprice of the moment may direct. Sooner or later, it will turn against those from whom it received its political character. Nor is it at all improbable that French troops, which have maintained so well their character for bravery, may at length wish to regain their reputation for loyalty, honour, and fidelity—that, sensible of the disgrace of serving the vile miscreants whose orders they have obeyed, and whose plans they have effected, they may be impatient to return to their duty and allegiance, and, seconding the noble efforts of the Royal and Christian army, which has so gallantly maintained itself against all the force the Convention could employ against it, and which, like another ANTÆUS, has risen with fresh vigour from every fall, may be instrumental in placing their lawful Sovereign on the Throne, in restoring the Gallic monarchy, and in

thus delivering their Country from the horrors of Revolutionary anarchy.

A stronger proof could not be given that the Convention was conscious of its extreme instability, than this desperate measure of calling upon the military, which, during the whole Revolution had been blindly obsequious, to pronounce upon political questions. They had too much penetration and foresight not to be aware that they were incurring the danger of giving themselves a master, and of substituting a military in the stead of a civil despotism. But so critical was their situation that they were glad to resort to any means to preserve their precarious authority, and they doubtless flattered themselves that the appearance of such support would awe into servile acquiescence a people, inured to the yoke of oppression, and habituated to the impulse of terror. Happily their expectations have been disappointed, and notwithstanding their pretended majority they meet with so determined a resistance, that they will be obliged to compel their *Sovereign* into submission by force of arms, and to usher in their New Constitution by the roaring of cannon. Should they succeed in the con-

fiât, their triumph will probably be short lived, and the increased odium and detestation in which they will be holden, will excite the people to seize every opportunity of throwing off so grievous and debasing a yoke.—Another proof has thus been given to the world, that the modern doctrine of deciding national questions by popular majorities, far from being calculated to promote submission, or to maintain freedom, is impracticable in itself and totally incompatible both with civil liberty and public tranquillity. A fresh proof has also been given of the fallacy and absurdity of that other doctrine, the scope and essence of the former one, that the Sovereignty of a Nation resides in the people: a precious sovereignty indeed, the very exercise of which is Anarchy, and which in its effects is productive of the most grievous oppression.

While events are rolling on in an impetuous current which no human force or contrivance can divert, it is the part of wisdom to realize the benefits of experience, and thereby to obtain the best security against a return of the unprecedented evils which humanity now suffers, and of the still greater dangers to which it is exposed. How strongly does
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the present period enforce this maxim of prudence, by calling upon mankind to trace effects to their causes, and to view, in their consequences, the tendency of those *principles*, which, founded neither in nature nor reason, but spun out of the speculative brains of metaphysical politicians, have, by the aid of specious pretexts of improvement and alluring professions of philanthropy, been reduced to practice by the French Revolution. That Revolution exhibits the first instance, and after such a result it surely will be the last, of the practical application of the pretended right of a people to change their Government and to frame a new Constitution for themselves. Of all the systems ever suggested by the folly or malignity of man, that which asserts the existence of such a right is the most absurd, visionary and mischievous. Whatever may be the language of mad speculatists, or of practical incendiaries, the thing itself is absolutely impossible, and the experiment is fraught with ruin. No people ever did or ever can, choose their Government. The idea contains no less an inversion in the order of things than *that* of the servants of a Family pretending to choose their Lord, and the children their Parents: and as well might an individual as a state presume to regenerate

regenerate himself, and to infuse into his frame a new Constitution, in the stead of that which was bestowed by nature, confirmed and insensibly modified by education and habit, and essentially connected with his very being.

A state, indeed, as well as an individual, may, by a rash effort of desperation, commit suicide, and dissolve the ties of its existence, by the subversion of its Government, and the destruction of its Constitution. Happily, it is difficult entirely to extinguish the flame of political life; and, notwithstanding a long suspension of the accustomed functions of Government, there is a latent principle, a strong tendency to revivification, which impels powerfully to the restoration of the antient and habitual state of things. But if once the destruction be complete—if the ancient Government and Constitution be irretrievably gone, the state is defunct, and cannot, any more than the individual, renovate itself. Its component parts may indeed pass into new forms of social being, but its identity is lost.* The people who have been excited to effect,
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* Who will say that the states of Greece and Rome continue to exist at this day, although the succession of inhabitants has been

by treason and rebellion, the total overthrow of their Government and Constitution, have no power whatever, of themselves, to form new political ties, and to substitute another authority in the room of that which has been displaced;—having done the mischief, their influence is at an end.—

What their future condition may be it is impossible to foresee, but it does not at all depend upon themselves. They may for a considerable time be the prey of anarchy, and at length they may be subjected to the iron yoke of domestic, or of foreign tyranny; but, after being the sport of chance, ambition, intrigue and faction, whenever they shall settle into a permanent state, the change in all their political, civil and social relations, will be so complete, that they will be no longer collectively the same people, although the individuals, those atoms of society, that constitute the new mass, may be the same as those which had composed the old.

been transmitted through all the intervening generations; and what is it but a change of Government and Constitution that has effected the wonderful transformation which has taken place in those Countries, and which renders them as different from what they once were, as the most distant and dissimilar states are from each other.

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It is not meant to be denied that instances have occurred, (though very rarely) where a state has received a new form of Government, without undergoing an entire political transformation; and where a Revolution has produced a change in the principle of the Government, instead of being (as is generally the case with Revolutions) a mere change of persons exercising the supreme power, the Government remaining substantially the same. But wherever this has happened, it has either been accomplished by the operation of a major force, internal or external, competent to bring about and establish such a change, or it has been the result of a successful struggle, by which a dependent state has enabled itself to throw off its foreign dependence. In the first case there has existed a power concentrated in itself, directed to a particular but limited object, and able to compel submission, and to accommodate the state to the change it was to undergo: and in the second, all that remained to be done, after the acquisition of independence, was to fill up the chasm which had been occasioned by the removal of foreign authority, and to substitute a power in the place of that which had been thrown off; and here the force by which the struggle was maintained, was already in possession
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of sufficient authority to prevent the intervention of anarchy; and that authority, which has invariably in such cases formed the basis of the new Government, and which wanted only a more regular organization, was sure to obtain the cheerful submission of the people, ever ready to pay their homage to those whom they consider as their deliverers. Besides, nothing is more calculated to unite a people strongly than a successful endeavour to obtain independence on foreign sway. In neither of these cases, therefore, has it devolved upon the people to exercise the imaginary and impracticable right, ascribed to them by the disciples of the new Philosophy, of choosing the Government, and of reconstructing the edifice of Society upon the basis of the new Constitution. The exercise of such a right was reserved for the experience of more modern times, where we see the principle extended to the length of asserting that every people is at all times entitled, by virtue of an unalienable Sovereignty, to change and new model its Government, according to its fancy, and for no other reason but because it is its pleasure so to do. And yet the insidious and indefatigable promulgators of such principles, which strike at the very existence of Society, are neither confined as madmen, nor executed as traitors.

It should also be observed that in the cases above referred to, where a change of Government has taken place, the State has never been disorganized and reduced to its elementary parts, which has been both the principle and the effect of the French Revolution. On the contrary, the change has never, in either of those cases, been carried farther than necessity required. The Government has assumed a new form, and even its principle may in some degree have been varied, but the manners, laws, customs and institutions of the Country, have been cautiously preserved, and have, by their preservation, contributed to the establishment of the new system of Power. Nor has even the Government itself undergone a total change, but has retained as much of its ancient principle, as has been compatible with the modification which it has undergone. In ROME the Monarchy was suppressed, but the two other orders remained entire, while the State retained its laws, usages and institutions, and thereby escaped the entire destruction of social order.—But notwithstanding these advantages, the want of a counterpoise between the two remaining branches of Government, which assumed the whole authority, tended perpetually to the production of anarchy, and thereby created a constantly recurring necessity

necessity of having recourse to foreign war, in order to preserve the state from being the prey of domestic convulsions. In like manner, AMERICA, when become independent, retained its former laws, usages, and civil institutions; and the powers of Government devolved, as a matter of course, on the General and the Assembly under whose guidance the Country had acquired its independence, and who (instead of the people) at their own discretion, framed a Constitution which was submitted to the test of experience. But, notwithstanding all these auxiliaries to social order, favoured by the circumstance of a scanty and widely diffused population, it was found in the course of a few years, that too great a deviation from the ancient political system tended to Anarchy. In the year 1787 a new Constitution was therefore framed—not by the people—but by the Convention, shut up for that purpose in close Divan. And in that Constitution was recognized, in a striking manner, the necessity of reverting, as far as circumstances would allow, to the principles of their ancient system, by assimilating thereto the new form of Government, and by combining together the three essential forms, of which the Constitution, under which they had been used to live, was composed.

Still, however, the political condition of AMERICA must be allowed to be precarious, as must ever be the case with a new form of Government, however acquired; and experience will show whether the system which has been there adopted, can be compatible with the Country, when it shall have acquired an extensive population and have arrived at a state of maturity. It is morally certain, that so large a portion of Democracy, and, of course, so weak a Government, will never accord with such a change of circumstances. Many intelligent persons are of opinion, and not without a great appearance of reason, that the federal union of these states will with difficulty survive their present CHIEF, even should *he* not outlive, (which is by means improbable) the influence by which he holds them together. Nay, there is abundant ground to conclude, that the juvenile Constitution of America is indebted for its present existence to the immense Ocean, whereby it is separated from the GALLIC VORTEX, and preserved from the immediate influence of *that* Revolution, of *which* the principles, originally imported from the rebellious British Colonies, have, in their *improved state*, subverted the French Monarchy, and exposed every European establishment to the most im-

minent danger; and *which*, by its reverberation across the *Atlantic*, shook even America itself, during the fraternal embassy of Citizen GENET.

There is therefore nothing to be found in the Annals of Mankind, at all analogous to the French Revolution. Even the cases of ROME and AMERICA, which seem to bear the nearest resemblance to that event, and which are therefore chiefly quoted in allusion thereto, are not of the same nature. Never before did the world exhibit an instance of a people, substituting theory for practice, and experiment for experience—tearing up by the roots every institution, political, civil, and religious—breaking down every barrier to factious violence, and popular fury—renouncing all subordination—removing every established gradation of society—subverting the very frame of their social existence—and endeavouring to substitute a new Constitution, in the place of that, to which they had been long accustomed, and under which they had been long consolidated into a compact and regularly organized State. Such, however, is the principle of that Revolutionary system, which has been carried into effect in France, and which it is the avowed object of that false Philosophy, known by the
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name of the Rights of man, to establish in every Country. How can such a system, which is calculated only for the purpose of destruction, and which is at direct variance with the nature of man and of society, as well as with the uniform experience of mankind—how can such a system be expected to afford a basis for order and regular Government? How can a Constitution derived from such a source be expected to be permanent, or even practicable?

If the most wise and virtuous men in a Nation, were to assemble in a tranquil manner, and with the fullest authority, to frame a new Constitution for a Country, their labours would be fruitless, and they would fail to produce any thing capable of being carried into effect. Their Code might indeed attract admiration as a wonderful specimen of metaphysical ingenuity, and it might display an anxious solicitude for the happiness and prosperity of the state, but with all its apparent excellence it would possess the fatal imperfection of being *unfit for use*. They would find it greatly beyond their strength to put their machine into motion; or if, aided by the impulse of popular enthusiasm, they were to succeed so far as to procure it a trial, they would soon discover

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cover that its parts were inapplicable to each other, and the whole to the Country. It would only serve, like every thing speculative, to engender disputes; and it would display the immeasurable distance between theory and practice, and the insuperable difficulty of substituting the former, in the place of the latter. If it were even to be received with universal and unbounded applause—if every individual were eagerly to press forward to engage, by the most solemn oath, to maintain it inviolate, it would not be rendered either more permanent, or more practicable by such a concurrence.—The favour of the multitude, having no other foundation than caprice, would soon be withdrawn from their Constitutional Idol, which would even become the object of their detestation the moment it lost the charms of novelty.

The Constitution of a Country is not to be acquired by such means. It cannot be erected on the unsubstantial basis of speculation. It is the spontaneous production of time and circumstance. It is an effect rather than a cause. It results from the aggregate of a people's situation and history. It is governed by a thousand causes, over which man has no controul. It partakes of the genius, manners, habits, national character, climate, situation,

situation, and all the absolute and relative circumstances of a Country. It is originally founded upon power, of which it is but a modification, and it cannot be derived from any other source. All Government is power, variously combined. In a course of time, and by insensible degrees, it acquires the accumulative force derived from habit, education, attachment, confidence, respect for antiquity, religious principle, and even from prejudice itself,—and these moral influences, while they constitute its principal strength, forming as it were its very sinews and muscles, become themselves stronger every day. It is thus that Government acquires its consistence and solidity, and is rendered stable and permanent.—It is thus that it becomes so incorporated with a state, so interwoven with every branch and fibre of the body politic, that its destruction involves the dissolution of the social union.

But although these supervening aids, which time alone can supply, are necessary to invigorate Government and to give it a firm establishment, it must in the first instance derive its origin from physical force. Nothing else can furnish the *stamina* which are capable of duration, and on which

which the influences above alluded to can operate. To suppose that speculation can afford materials capable of acquiring, by the operation of time, the solidity of stable and settled Government, is no less absurd than to imagine that a phantom can be cloathed with a corporeal form, and invested with all the powers and properties of a human being. Instead of being favourable to the fanciful systems of political theory, time is their great enemy and their certain destroyer. It very speedily exposes their unsubstantial nature, and makes them disappear like the spectres of the night on the approach of day. Thus have vanished the crude Constitutional vagaries of the French Revolutionists, even before the rapid flight of time could fairly bring them to the test of experience; thus like the confused visions of a sick man,—*velut ægri somnia*—have they flitted away one after another without leaving a perfect recollection of any thing but the anguish with which they were accompanied.

How absurd then is that modern system, which, tending invariably to invert the natural and accustomed order of things, supposes that a Constitution should be the basis of Government. On
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the contrary it is evident that a Government must precede a Constitution. Unless there exist a fixed power, in possession of the sovereignty, and capable of enforcing submission and obedience, a people are not susceptible of a Constitution, for they are destitute of that social tie, which is necessary to connect them in a state of political union. They form only a mass of atoms without order or coherence. Their condition is anarchical, and can no more afford a foundation for any solid and permanent system, than moving sands, or flowing waves. But when a stable Government is firmly established, (which, as before observed, it can only be on the basis of power,) it is then that time and circumstance have their due operation. It is then that the course of events, co-operating with the influence of pre-existing causes, may produce and complete that political organization, usually termed a Constitution. It is then, and then alone, that a people may gradually acquire that due weight which is calculated to secure their just and salutary rights, and which may even enable them, as occasion offers, to obtain firm and solid barriers against oppression.

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They must, however, even in this progressive state of improvement, steer clear of speculation. At no period of a people's history can speculation have any other effect than to check their progress towards perfection, to produce the sacrifice of what they have already gained and to poison their felicity. Experience is the only guide of political wisdom; and it is only when, under *her* guidance, remedies are applied in a legal, cautious, and circumspect manner, for the correction of serious and undoubted evils, that any solid and durable advantage can be derived from a change. *Thus*, indeed, even abuses may lead to improvement, and oppression itself may ultimately be productive of security. But speculative innovation can tend only to subversion; and it is the most sure and fatal enemy of all human institutions; and of all social happiness,

If therefore according to the unchangeable laws of nature, (thus uniform and analagous in their operations, whether they regard the physical, or the social existence of man) it be impossible for speculation to form the basis of any practicable system of Government, how vain and presumptuous, and, unfortunately, at the same time, how

mischievous must be the attempt, to substitute a new and experimental system, in the place of one which has been long established, which time and experience have confirmed, and under which (whatever defects, like every thing human, it may possess) a State has become flourishing and prosperous. How can stability attend a new Constitution, which, besides being defective in its foundation, and visionary in its nature, has to encounter the resistance arising out of the previous state of things, and to struggle with all those influences, which have been flowing uninterruptedly, and with constantly encreasing force, from the remote sources of antiquity. Although it may be possible by the diffusion of the poisonous and disorganizing principles of the modern Philosophy, to corrupt and inflame a people to such a degree, as, to effect, by their means, the subversion of an ancient Government, by depriving it, for a time, of the essential support of opinion, and thereby reducing it to its mere physical force, still, however, in real strength and influence, vanquished as it may seem, it is vastly superiour to any system that can be substituted by theory. Those moral influences which were gradually forming through a long succession of ages, however they may appear to yield to the

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momentary impulse of enthusiasm, can only be destroyed by the operation of time, producing counter-influences of a similar nature. But the formation of such counter-influences is almost insuperably difficult, because resisted by the invincible tendency of human nature, collectively as well as individually, to return to long established habits. Meanwhile opinion, diverted, by artificial causes, out of its accustomed channel, finds it impossible to fix and settle any where else ; like Noah's Dove, it meets with no resting place ; and, having no direction but what it receives from caprice, it is incessantly fluctuating, until the miseries attending such a situation, produce the conviction, that the former state of quiet and repose was infinitely preferable to all that can be gained by a change : and then, like a tree, for a time forcibly inclined towards the ground, but at length released from its violent pressure, opinion will spring with irresistible force, and, perhaps, with an instantaneous impulse, into its ancient and wonted direction. There is danger indeed, that the state of anarchy, produced by the removal of the former Government, may afford an opportunity for the establishment of some violent despotism, some ferocious system of tyranny, that may, by the influence of terror, maintain itself until

til ancient impressions be almost effaced, and the recollection of former happiness be nearly extinct; until the steady adherents of the former system be mostly cut off, by the axe of the executioner, or the stroke of death; and until a new generation shall arise, trained up in habits of fear and servile submission, and the country be made to experience no less a change, than if a foreign conqueror, at the head of overpowering armies, had transplanted into it the laws, manners, and inhabitants of another clime. Then, indeed, may the former Government be entirely exterminated, and deprived of all chance of a restoration: but never can this be done by speculation and theory, which, whatever metaphysical Politicians may imagine, are incapable of substituting any permanent establishment.

The ancient Monarchy of France is thus, after an apparent destruction of six years, even more formidable than at the moment of its subversion; and it is becoming more and more formidable every day. In its fallen and degraded state it is the terror of its enemies. The energy of its rights, and the force of its claims have survived every system attempted to be substituted in its place, and

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it possesses more real strength than any of the factions, which while they are struggling together for superiority, appear conjointly to exercise the Powers of Government. Those factions, notwithstanding their extreme mutual animosity are obliged to combine, in order to prevent its speedy restoration, knowing that it would in an instant crush them all to atoms, and for ever blast their ambitious hopes; and thus they bear an undeniable testimony to the force of ancient rights, and the strength of the Royal cause.

Scarcely inferior in absurdity to the system of inventing New Constitutions, is that of adopting in one country, the Government and Constitution of another. The scheme of transplanting Constitutions is one of the wildest flights of human folly, and must, wherever it is attempted to be carried into effect, be productive of the utmost confusion and mischief. Constitutions can thrive only in the soil where they first strike their roots: They can never be adapted to a state, unless they

“ Grow with its growth, and strengthen with its strength”.
and, however excellent they may be in the country to which they belong, they would be totally useless,
because

because inapplicable, every where else. Were the Turkish Divan to be modelled according to the English Legislature, and the Grand Signior to shape his authority, in imitation of that of the British Monarch, the inhabitants of Turkey, instead of having reason to rejoice at the change, would speedily find it productive of all the evils of Anarchy. It is as illiberal as it is erroneous, to judge of the felicity of others by one's own. The only safe test of political, as well as of personal happiness, is content—and cursed be the man who would deprive either states, or individuals, of this invaluable blessing.

The reader will doubtless recollect, that the above reasoning, tending to shew the absolute impossibility of establishing a Constitution upon the basis of speculation, proceeded upon the supposition that none but the most wise and virtuous men should be employed, in the framing of such a Constitution. But who can be so ignorant of human nature, as to suppose that this task would devolve on wise and virtuous men. When once the government of a Country is subverted, there must either exist a force, adequate to compel submission, and preserve order; (and such a force must be absolutely despotic, to supply

supply the want of the numerous moral aids, by which the authority of the former Government was supported) or the bands of society are dissolved, and the dreadful reign of Anarchy instantly commences. The voice of wisdom and virtue is then no longer heard. In the confusion and uproar that must inevitably ensue, all political consequence will be engrossed by men of the worst principles, of the vilest characters, and of the most profligate lives, intermingled with mad and furious enthusiasts, indifferent what calamities they bring on their Country, provided they can procure the experiment of their visionary projects. Such are the men who will either appear conspicuous in the Scene, or be secretly intriguing behind the Curtain; and who, divided and subdivided into numberless factions, each struggling for the ascendancy, will affect to assume the important task of reducing the chaos into order, by framing a system which every one will endeavour to adapt to his own particular purposes: while the honest and sober citizen, who really wishes for the welfare of his Country, and who is incapable of resorting to base and dishonourable means, must either decline all competition with such men, or expose himself to certain destruction. To the incoherent mass thus jumbled together will

be given the name of a Constitution. But what kind of a Constitution will it be, framed and modelled by such men, and under such circumstances? Artfully disguised by the most specious professions, and the most fascinating promises, it may, indeed, gain the confidence and even the applause of weak minds, but it will serve only to prolong the public misery, and to accelerate the public ruin. It will be alternately a source of anarchy, and an engine of tyranny; and it will be used by its makers, according to its original design, as the ladder of their ambition, which they will either kick down, when they shall have no further use for it, or convert into a suitable form of despotism, under which they may insult an oppressed and flayed people, with the sounds of liberty, virtue, and patriotism.

Such have been the effects of every Constitution hitherto produced by the Revolution of France—such will be the effects of every Constitution that shall be brought forward in that Country, until the return of the lawful Government shall deliver the people from the misfortune of being the sport of such absurd and mischievous speculations. That people, after all they have lost, and

all they have suffered, are now, in reality, as far, and in appearance much farther, from the attainment of order, tranquillity and settled Government, than when they first effected the overthrow of their ancient Monarchy. They are constantly vibrating between the extremes of anarchy and tyranny, each of which preponderates in its turn; and, during the dreadful contention, they suffer the accumulated horrors of unbounded licentiousness, and the most grievous oppression. Possessing no liberty, but what flows from anarchy, they are flattered with an ideal Sovereignty ; but it is a Sovereignty which, like that of the latter Kings of their first race, is an empty sound, and consists only in their being brought forward, on particular occasions, in idle and insulting pageantry, by their Mayors of the Palace, who really exercise the supreme dominion. Constitution succeeds to Constitution only to prevent a termination of their miseries, by giving a new *momentum* to the Revolution. Thus have they gone on since they threw off their allegiance to their lawful Sovereign, whom it was their honour and their happiness to obey—thus will they go on until they shall return to *that* allegiance—unless, indeed, before they regain their senses, another Robespierre, more fortunate

fortunate than the first, should succeed in consolidating a ferocious and bloody tyranny, and allow them only to regret, in silent and hopeless anguish, the mild, beneficent and paternal GOVERNMENT of the BOURBONS,

FINIS.



